

16138 U.S. PTO
09/22/03

PTO/SB/50 (06-03)

Approved for use through 01/31/2004. OMB 0651-0033

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REISSUE PATENT APPLICATION TRANSMITTAL

10/668094
16138 U.S. PTO
09/22/03

Address to: Mail Stop Reissue Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Attorney Docket No.	154682-0004
	First Named Inventor	Zvi Orbach
	Original Patent Number	4,949,257
	Original Patent Issue Date (Month/Day/Year)	08/14/1990
	Express Mail Label No.	EV 330 867 340 US

APPLICATION FOR REISSUE OF:
(Check applicable box) Utility Patent Design Patent Plant Patent

APPLICATION ELEMENTS (37 CFR 1.173)

1. Fee Transmittal Form (PTO/SB/56)
(Submit an original, and a duplicate for fee processing)
2. Applicant claims small entity status. See 37 CFR 1.27.
statement attached
3. Specification and Claims in double column copy of patent format
(amended, if appropriate)
4. Drawing(s) (proposed amendments, if appropriate)
5. Reissue Oath/Declaration (original or copy)
(37 CFR 1.175) (PTO/SB/51 or 52) **unexecuted**
6. Power of Attorney
7. Original U.S. Patent currently assigned? Yes No
(If Yes, check applicable box(es))
 - Written Consent of all Assignees (PTO/SB/53) **unexecuted**
 - 37 CFR 3.73(b) Statement
(PTO/SB/96) **unexecuted**
8. CD-ROM or CD-R in duplicate, Computer Program (Appendix) or large table
9. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all of the following are necessary)
 - a. Computer Readable Form (CFR)
 - b. Specification Sequence Listing on:
 - i CD-ROM (2 copies) or CD-R (2 copies); or
 - ii paper
 - c. Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

10. Statement of status and support for all changes to the claims. See 37 CFR 1.173(c).
11. Original Patent Grant
 - Ribboned Original Patent Grant
 - Statement of Loss (PTO/SB/55)
12. Foreign Priority Claim (35 U.S.C. 119) (if applicable)
13. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations
14. English Translation of Reissue Oath/Declaration (if applicable)
15. Preliminary Amendment
16. Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
17. Other: **Request for Abstract**
of Title 37 CFR 1.19(b) (4)
(unexecuted)

18. CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number:	2900	<input type="checkbox"/> OR	<input type="checkbox"/> Correspondence address below
Name	Norman E. Brunell		
Address	1800 Avenue of the Stars Suite 900		
City	Los Angeles	State	CA
Country		Zip Code	90067

Name (Print/Type)	Norman E. Brunell	Registration No. (Attorney/Agent)	26,533
Signature			Date
			September 22, 2003

This collection of information is required by 37 CFR 1.173. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Mail Stop Reissue, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450**.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Applicant or Patentee: Zvi Orbach
 Serial or Patent No.: 4,949,257
 Filed or Issued: 08/14/1990
 For: AUTOMATED MERCHANDISING SYSTEM FOR COMPUTER SOFTWARE

**STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) AND 1.27(c) - SMALL BUSINESS CONCERN)**

I hereby declare that I am

- the owner of the small business concern identified below:
- an official of the small business concern empowered to act on behalf of the concern identified below:
- the attorney for the Patent Owner, the small business concern, empowered to act on behalf of the concern identified below:

NAME OF CONCERN: Softmat LLC

ADDRESS OF CONCERN: 1800 Century Park East, Suite 600, Los Angeles, CA 90067

The above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled

Automated Merchandising System for Computer Software by inventor(s)

Zvi Orbach

described in

- the specification filed herewith
- application serial no. , filed
- patent no. , issued

NAME OF PERSON SIGNING: Norman E. Brunell

TITLE OF PERSON OTHER THAN OWNER: Attorney for Patent Owner

ADDRESS OF PERSON SIGNING: Irell & Manella LLP, 1800 Avenue of the Stars, Suite 900
Los Angeles, California 90067

SIGNATURE: Norman E. Brunell DATE: September 22, 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re reissue application of:)
U. S. Patent No: 4,949,257)
Issued : 08/14/1990)
Inventor(s) : Zvi Orbach)
For : AUTOMATED MERCHANDISING)
SYSTEM FOR COMPUTER SOFTWARE)

)
)
)
)
)
)

REQUEST FOR ABSTRACT OF TITLE

Mai Stop REISSUE
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please prepare a certified Abstract of Title in respect of the above identified original patent for placing in the official file of the Reissue Application which is filed herewith.

Please charge \$25.00, in accordance with 37 CFR 1.19(b)(4), to Deposit Account No. _____, for which purpose a duplicate of this paper is enclosed.

Respectfully submitted,

Norman E. Brunell, Registration No.26,533 (Brunell)

IRELL & MANELLA LLP
1800 Avenue of the Stars, Suite 900
Los Angeles, CA 90067
Telephone: (310) 277-1010
Facsimile: (310) 203-7199
E-mail: nbrunell@irell.com